

Sixth Appellate District

San Jose, California

MONDAY, OCTOBER 28, 2002

H022488 PEOPLE v. WASHINGTON

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Premo, Acting P.J., Rushing, J.)  
Filed October 28, 2002

H021876 PEOPLE v. VAN HOOK

The judgment is affirmed. (not published)  
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Rushing, J.)  
Filed October 28, 2002

H022510 PEOPLE v. HOLGUIN

The judgment is affirmed. (not published)  
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Rushing, J.)  
Filed October 28, 2002

TUESDAY, OCTOBER 29, 2002

The Court convened at 9:30 p.m. in the Monterey City Council Chambers, Monterey, California. Present: Bamattre-Manoukian, Acting P.J.; Mihara, J.; Rushing, J.; and S. Nasson, Deputy Clerk.

H022364 WHENMOUTH, et al. v. STATE OF CALIFORNIA; HICKS

Cause called and argued by Steve McNichols appearing for Appellants and by Charles Warner appearing for Appellants and by Daniel Weingarten appearing for Respondent. Cause ordered submitted.

Bamattre-Manoukian, Acting P.J.; Mihara, J. and Rushing, J. leave the bench and Premo, Acting P.J., Elia, J. and Wunderlich, J. take the bench.

H024202 HARTNELL COLLEGE v. SUPERIOR COURT; ANTONIO

Cause called and argued by David Melisso appearing for Petitioner and by Elizabeth Gianola appearing for Real Party in Interest. Cause ordered submitted.

Sixth Appellate District

San Jose, California

Tuesday, October 29, 2002 (continued)

H023082 GARRETT v. COMMISSION ON PROFESSIONAL COMPETENCE;  
MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT

Cause called and argued by Keith Breon appearing for Appellant and by Lawrence Biegel appearing for Respondent. Cause ordered submitted.

H023227 MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT v. GARRETT

Cause called and argued by Keith Breon appearing for Appellant and by Lawrence Biegel appearing for Respondent. Cause ordered submitted. Court adjourns.

H022914 PEOPLE v. HOGAN

The judgment is affirmed. (not published)  
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J.,  
Wunderlich, J.)  
Filed October 29, 2002

WEDNESDAY, OCTOBER 30, 2002

H024065 LAWRENCE, as Executor, etc. v. LAWRENCE

The purported appeal is dismissed. Susan shall pay \$500 in sanctions to the estate. (not published)  
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J.,  
Wunderlich, J.)  
Filed October 30, 2002

THURSDAY, OCTOBER 31, 2002

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Elia, J.; Rushing, J.; and W. Magsaysay, Deputy Clerk.

H023370 PEOPLE v. ORTEGA

Cause called and argued by Charles Bonneau appearing for Appellant. Ann Wathen, Deputy Attorney General, having waived oral argument on behalf of Respondent, does not appear. Cause ordered submitted.

H022670 PEOPLE v. VIGIL

Cause called and argued by Dennis Riordan appearing for Appellant and by Aileen Bunney, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

Sixth Appellate District

San Jose, California

THURSDAY, OCTOBER 31, 2002 (continued)

H022411 FLETCHER, et al. v. FOWLER

Cause called and argued by Douglas B. Allen appearing for Appellants and by Dan Beatty appearing for Respondent. Cause ordered submitted.

H022088 DE ANZA ENTERPRISES, et al. v. JOHNSON, et al.

Cause called and argued by Dennis W. Smith appearing for Appellants and by David W. Lively appearing for Respondents. Cause ordered submitted.

H023736 IN RE BRIANNA M., ET AL., MINORS

Cause called and argued by Frank E. Dougherty appearing for Appellant, by Teri L. Robinson, Deputy County Counsel, appearing for Respondent Santa Clara County Department of Family and Children's Services, and by Robert J. Masterson, Deputy District Attorney, appearing for Respondent minors. Cause ordered submitted. Elia, J. leaves the bench and Wunderlich, J. takes the bench.

H023979 IN RE CARLOS A., ET AL., MINORS

Cause called and argued by Ann Jory appearing for Appellant, by Teri L. Robinson, Deputy County Counsel, appearing for Respondent Santa Clara County Department of Family and Children's Services and by Robert J. Masterson, Deputy District Attorney, appearing for Respondent minors. Court recesses until the 1:30 p.m. calendar.

H022712 PEOPLE v. VARGAS

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Premo, Acting P.J., Rushing, J.)  
Filed October 31, 2002

H022464 PEOPLE v. FERGUSON

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Premo, Acting P.J., Rushing, J.)  
Filed October 31, 2002

H021998 PEOPLE v. ESTEVEZ

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Premo, Acting P.J., Rushing, J.)  
Filed October 31, 2002

Sixth Appellate District

San Jose, California

THURSDAY, OCTOBER 31, 2002 (continued)

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Elia, J.; Rushing, J.; and S. Nasson, Deputy Clerk.

H022399 PEOPLE v. DAVIS

Cause called and argued by David Stanley appearing for Appellant and by Stan Helfman, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H022333 PEOPLE v. BARNETT

Cause called and argued by Ruth McVeigh appearing for Appellant and by George Hindall, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H022870 PEOPLE v. BUENROSTRO

Cause called and argued by Philip Brooks appearing for Appellant and by George Hindall, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H023658 CHUNG v. YEW

Cause called and argued by Paul Yew appearing in Propria Persona and by Daphna Sher appearing for Respondent. Cause ordered submitted. Court adjourns.

H022362 PEOPLE v. GONZALES

The judgment is modified to strike the finding that defendant served a prior prison term for burglary in San Bernardino County case No. FSB04494 within the meaning of section 667.5, subdivision (b) and to reflect the imposition of consecutive terms for counts 1 and 2 pursuant to section 667, subdivision (c)(6). The trial court is directed to prepare a new abstract of judgment and forward a certified copy to the Department of Corrections. In all other respects the judgment is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)

Filed October 31, 2002

Sixth Appellate District

San Jose, California

FRIDAY, NOVEMBER 1, 2002

H023485 PEOPLE v. LAMBERT

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)  
Filed November 1, 2002

H022151 PEOPLE v. COUSINS

The judgment is affirmed. (not published)  
(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., Rushing, J.)  
Filed November 1, 2002

H023211 PEOPLE v. CREMER

By the Court\*:  
Appellant's petition for rehearing is denied.  
Filed: November 1, 2002  
\*Before Bamattre-Manoukian, Acting P.J., and Rushing, J.

H022910 PEOPLE v. MULL

By the Court\*:  
Appellant's petition for rehearing is denied.  
Filed: November 1, 2002  
\*Before Bamattre-Manoukian, Acting P.J., Mihara, J. and Rushing, J.

H023690 PEOPLE v. CHAGHOURI

The judgment is affirmed. (published)  
(Rushing, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)  
Filed November 1, 2002

H022523 PEOPLE v. ANDREE

The order is affirmed. (not published)  
(Rushing, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)  
Filed November 1, 2002

H022631 PEOPLE v. ESCOBAR

The judgment is affirmed. (not published)  
(Rushing, J.; I concur: Mihara, J.; Dissenting opinion by Bamattre-Manoukian, Acting P.J.)  
Filed November 1, 2002

Sixth Appellate District

San Jose, California

Friday, November 1, 2002 (Continued)

H023484 PEOPLE v. RENE L.

For these reasons, the judgment is affirmed. (not published)  
(Rushing, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed November 1, 2002

H023785 PEOPLE v. JOSHUA H.

The order is affirmed. (not published)  
(Wunderlich, J.; We concur: Premo, Acting P.J., Rushing, J.)

Filed November 1, 2002

H022477 MAI v. KRAUSE, et al.

The order is affirmed. (not published)  
(Mihara, J.; I concur: Bamattre-Manoukian, Acting P.J.;  
Dissenting opinion by Rushing, J.)

Filed November 1, 2002

H022722 PEOPLE v. THREET

We therefore affirm the judgment. (not published)  
(Rushing, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed November 1, 2002